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**From:** Rohrbaugh, Mark (NIH/OD) [E] [/O=NIH/OU=NIH/EXCHANGE/CN=OD/CN=ROHRBAUM]  
**Sent:** 11/1/2016 2:05:45 PM  
**To:** Fine, Amanda (NIH/OD) [E] [/O=NIH/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Fineab]  
**Subject:** Re: Interview request/chlorcyclizine pricing: BuzzFeed News

I don't know where that data would be if we have it. It's 20 yrs old. The data on the website goes back to 2003.

Sent from my iPhone

On Nov 1, 2016, at 9:48 AM, Fine, Amanda (NIH/OD) [E] <[amanda.fine@nih.gov](mailto:amanda.fine@nih.gov)> wrote:

Hi Mark-

Was hoping we could pin down a time for you to speak with Dan today if you are available. Also, he asked if we have the numbers behind the CRADA increases from 1980 to present—they are thinking they would like to make a chart to show the difference in collaborations pre/post reasonable pricing clause.

Thanks!  
Amanda

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**From:** Fine, Amanda (NIH/OD) [E]  
**Sent:** Monday, October 31, 2016 2:00 PM  
**To:** Rohrbaugh, Mark (NIH/OD) [E] <[RohrBauM@OD.NIH.GOV](mailto:RohrBauM@OD.NIH.GOV)>  
**Cc:** Myles, Renate (NIH/OD) [E] <[mylesr@od.nih.gov](mailto:mylesr@od.nih.gov)>; Wojtowicz, Emma (NIH/OD) [E] <[emma.wojtowicz@nih.gov](mailto:emma.wojtowicz@nih.gov)>  
**Subject:** RE: Interview request/chlorcyclizine pricing: BuzzFeed News

Hi Mark-

Wasn't sure if you saw my below email. Is there a time tomorrow that would work for you to speak with Dan?

Thanks again!  
Amanda

---

**From:** Fine, Amanda (NIH/OD) [E]  
**Sent:** Monday, October 31, 2016 9:55 AM  
**To:** Rohrbaugh, Mark (NIH/OD) [E] <[RohrBauM@OD.NIH.GOV](mailto:RohrBauM@OD.NIH.GOV)>  
**Cc:** Myles, Renate (NIH/OD) [E] <[mylesr@od.nih.gov](mailto:mylesr@od.nih.gov)>; Wojtowicz, Emma (NIH/OD) [E] <[emma.wojtowicz@nih.gov](mailto:emma.wojtowicz@nih.gov)>  
**Subject:** FW: Interview request/chlorcyclizine pricing: BuzzFeed News

Good morning and welcome back!

I wanted to check in to see what your availability is to speak to Dan either later today or sometime tomorrow. We're hoping to provide him with the background information prior to speaking with you.

Thanks!

Amanda

---

**From:** Fine, Amanda (NIH/OD) [E]  
**Sent:** Friday, October 28, 2016 6:11 PM  
**To:** Ano, Susan (NIH/NINDS) [E] <[susan.ano@nih.gov](mailto:susan.ano@nih.gov)>  
**Cc:** Rodriguez, Richard (NIH/NCI) [E] <[richard.rodriguez@nih.gov](mailto:richard.rodriguez@nih.gov)>; Chang, Kevin (NIH/NCI) [E] <[changke@mail.nih.gov](mailto:changke@mail.nih.gov)>; Myles, Renate (NIH/OD) [E] <[mylesr@od.nih.gov](mailto:mylesr@od.nih.gov)>; Wojtowicz, Emma (NIH/OD) [E] <[emma.wojtowicz@nih.gov](mailto:emma.wojtowicz@nih.gov)>; NCI Press Officers <[ncipressofficers@mail.nih.gov](mailto:ncipressofficers@mail.nih.gov)>; Rohrbaugh, Mark (NIH/OD) [E] <[RohrBauM@OD.NIH.GOV](mailto:RohrBauM@OD.NIH.GOV)>; Niebylski, Charles (NIH/NIDDK) [E] <[niebylskicd@niddk.nih.gov](mailto:niebylskicd@niddk.nih.gov)>  
**Subject:** Re: Interview request/chlorcyclizine pricing: BuzzFeed News

Hi All-

Sorry for the delay. For your review and input, please see the below draft response:

(b) (5)

REL0000024708

Thanks!

Amanda

On Oct 28, 2016, at 11:24 AM, Ano, Susan (NIH/NINDS) [E] <[susan.ano@nih.gov](mailto:susan.ano@nih.gov)> wrote:

There's a typo in the email below. The first statement should read

(b) (5)

(b) (5)

Best regards,

Sue

Susan Ano, Ph.D.  
Technology Development Coordinator  
Office of Technology Transfer  
The National Institute of Neurological Disorders and Stroke  
The National Institutes of Health  
Mail address: 31 Center Drive, Suite 8A52, MS2540  
Bethesda, MD 20892  
Physical location: Bldg. 31, 8A07  
phone (301) 435-5515  
cell (b) (6)

<image001.jpg>

**Have patience. All things are difficult before they become easy."**

— Saadi, poet

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**From:** Rodriguez, Richard (NIH/NCI) [E]  
**Sent:** Friday, October 28, 2016 11:12 AM  
**To:** Chang, Kevin (NIH/NCI) [E] <[changke@mail.nih.gov](mailto:changke@mail.nih.gov)>  
**Cc:** Myles, Renate (NIH/OD) [E] <[mylesr@od.nih.gov](mailto:mylesr@od.nih.gov)>; Wojtowicz, Emma (NIH/OD) [E] <[emma.wojtowicz@nih.gov](mailto:emma.wojtowicz@nih.gov)>; NCI Press Officers <[ncipressofficers@mail.nih.gov](mailto:ncipressofficers@mail.nih.gov)>; Rohrbaugh, Mark (NIH/OD) [E] <[RohrBauM@OD.NIH.GOV](mailto:RohrBauM@OD.NIH.GOV)>; Niebylski, Charles (NIH/NIDDK) [E] <[niebylskicd@niddk.nih.gov](mailto:niebylskicd@niddk.nih.gov)>; Ano, Susan (NIH/NINDS) [E] <[susan.ano@nih.gov](mailto:susan.ano@nih.gov)>; Fine, Amanda (NIH/OD) [E] <[amanda.fine@nih.gov](mailto:amanda.fine@nih.gov)>  
**Subject:** RE: Interview request/chlorcyclizine pricing: BuzzFeed News

(b) (3)

**Richard**

**From:** Chang, Kevin (NIH/NCI) [E]  
**Sent:** Friday, October 28, 2016 11:08 AM  
**To:** Rodriguez, Richard (NIH/NCI) [E] <[richard.rodriguez@nih.gov](mailto:richard.rodriguez@nih.gov)>; Fine, Amanda (NIH/OD) [E] <[amanda.fine@nih.gov](mailto:amanda.fine@nih.gov)>  
**Cc:** Myles, Renate (NIH/OD) [E] <[mylesr@od.nih.gov](mailto:mylesr@od.nih.gov)>; Wojtowicz, Emma (NIH/OD) [E] <[emma.wojtowicz@nih.gov](mailto:emma.wojtowicz@nih.gov)>; NCI Press Officers <[ncipressofficers@mail.nih.gov](mailto:ncipressofficers@mail.nih.gov)>; Rohrbaugh, Mark (NIH/OD) [E] <[RohrBauM@OD.NIH.GOV](mailto:RohrBauM@OD.NIH.GOV)>; Niebylski, Charles (NIH/NIDDK) [E] <[niebylskicd@niddk.nih.gov](mailto:niebylskicd@niddk.nih.gov)>; Ano, Susan (NIH/NINDS) [E] <[susan.ano@nih.gov](mailto:susan.ano@nih.gov)>  
**Subject:** RE: Interview request/chlorcyclizine pricing: BuzzFeed News

Hi Richard,

(b) (3)

Sue was working on responses to the questions.

Kevin W. Chang, Ph.D.  
Senior Licensing and Patenting Manager  
NCI Technology Transfer Center  
9609 Medical Center Dr.  
Room 3W-128, MSC 9702  
Rockville, MD 20850-9702  
Phone: 240-276-6910  
Email: [changke@mail.nih.gov](mailto:changke@mail.nih.gov)

REL0000024708

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**From:** Rodriguez, Richard (NIH/NCI) [E]  
**Sent:** Friday, October 28, 2016 11:04 AM  
**To:** Fine, Amanda (NIH/OD) [E] <[amanda.fine@nih.gov](mailto:amanda.fine@nih.gov)>  
**Cc:** Myles, Renate (NIH/OD) [E] <[mylesr@od.nih.gov](mailto:mylesr@od.nih.gov)>; Wojtowicz, Emma (NIH/OD) [E] <[emma.wojtowicz@nih.gov](mailto:emma.wojtowicz@nih.gov)>; NCI Press Officers <[ncipressofficers@mail.nih.gov](mailto:ncipressofficers@mail.nih.gov)>; Rohrbaugh, Mark (NIH/OD) [E] <[RohrBauM@OD.NIH.GOV](mailto:RohrBauM@OD.NIH.GOV)>; Niebylski, Charles (NIH/NIDDK) [E] <[niebylskicd@nidk.nih.gov](mailto:niebylskicd@nidk.nih.gov)>; Ano, Susan (NIH/NINDS) [E] <[susan.ano@nih.gov](mailto:susan.ano@nih.gov)>; Chang, Kevin (NIH/NCI) [E] <[changke@mail.nih.gov](mailto:changke@mail.nih.gov)>  
**Subject:** RE: Interview request/chlorcyclizine pricing: BuzzFeed News

Hi Amanda,

Just saw this and have attached my response to Chuck. If you have more questions, I'm happy to have a call.

Thanks,

Richard

---

**RICHARD U. RODRIGUEZ, M.B.A.**

Associate Director, Technology Transfer Center  
Patent Agent

National Cancer Institute  
National Institutes of Health  
9609 Medical Center Drive, Rm 1E530  
Bethesda, MD 20892-9702 (for business mail)  
Rockville, MD 20850-9702 (for courier service/visitors)  
Phone (Main Office): 240-276-5530  
Direct phone: 240-276-6661  
Fax 240-276-5504  
[richard.rodriquez@nih.gov](mailto:richard.rodriquez@nih.gov)

<https://ttc.nci.nih.gov/index.php>

"Change is inevitable. Progress is optional" – Tony Roberts

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**From:** Chang, Kevin (NIH/NCI) [E]  
**Sent:** Thursday, October 27, 2016 6:26 PM

REL0000024708

**To:** Fine, Amanda (NIH/OD) [E] <[amanda.fine@nih.gov](mailto:amanda.fine@nih.gov)>  
**Cc:** Myles, Renate (NIH/OD) [E] <[mylesr@od.nih.gov](mailto:mylesr@od.nih.gov)>; Wojtowicz, Emma (NIH/OD) [E] <[emma.wojtowicz@nih.gov](mailto:emma.wojtowicz@nih.gov)>; NCI Press Officers <[ncipressofficers@mail.nih.gov](mailto:ncipressofficers@mail.nih.gov)>; Rohrbaugh, Mark (NIH/OD) [E] <[RohrBauM@OD.NIH.GOV](mailto:RohrBauM@OD.NIH.GOV)>; Niebyski, Charles (NIH/NIDDK) [E] <[niebyskicd@niddk.nih.gov](mailto:niebyskicd@niddk.nih.gov)>; Rodriguez, Richard (NIH/NCI) [E] <[richard.rodriguez@nih.gov](mailto:richard.rodriguez@nih.gov)>; Ano, Susan (NIH/NINDS) [E] <[susan.ano@nih.gov](mailto:susan.ano@nih.gov)>  
**Subject:** RE: Interview request/chlorcyclizine pricing: BuzzFeed News  
**Importance:** High

Hi Amanda,

Chuck has also approached me regarding these questions. Richard, Sue, and Mark may be the best positioned to provide NIH's official responses on these two questions. Richard should be back from travel on Monday but I can chat with Mark if he needs background about this specific license.

When do you need the responses to the questions by?

Best regards,

Kevin

Kevin W. Chang, Ph.D.  
Senior Licensing and Patenting Manager  
NCI Technology Transfer Center  
9609 Medical Center Dr.  
Room 3W-128, MSC 9702  
Rockville, MD 20850-9702  
Phone: 240-276-6910  
Email: [changke@mail.nih.gov](mailto:changke@mail.nih.gov)

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**From:** Fine, Amanda (NIH/OD) [E]  
**Sent:** Thursday, October 27, 2016 5:03 PM  
**To:** Chang, Kevin (NIH/NCI) [E] <[changke@mail.nih.gov](mailto:changke@mail.nih.gov)>  
**Cc:** Myles, Renate (NIH/OD) [E] <[mylesr@od.nih.gov](mailto:mylesr@od.nih.gov)>; Wojtowicz, Emma (NIH/OD) [E] <[emma.wojtowicz@nih.gov](mailto:emma.wojtowicz@nih.gov)>; NCI Press Officers <[ncipressofficers@mail.nih.gov](mailto:ncipressofficers@mail.nih.gov)>; Rohrbaugh, Mark (NIH/OD) [E] <[RohrBauM@OD.NIH.GOV](mailto:RohrBauM@OD.NIH.GOV)>  
**Subject:** FW: Interview request/chlorcyclizine pricing: BuzzFeed News

Hi Kevin-

Please see the below long thread about a Buzzfeed inquiry regarding chlorcyclizine as a result of a complaint by Knowledge Ecology International. As you may know, KEI regularly approaches NIH regarding licensing and exercising march-in rights. We are working to set up an interview with Mark next week, however wanted to provide the

reporter with some background. He asked a few questions about granting the license that folks said you would know and I was hoping you would help us in drafting responses to these questions. Specifically the following 2 questions:

2) What are the institute's priorities when licensing these drugs?

(b) (5)

(5) Some observers are asking: why grant an exclusive license to a small, unknown company with no track record of bringing drugs to market?

Please let me know if you have any questions.

Thank you in advance for your help and input!  
Amanda

**Amanda Fine**  
Deputy, News Media Branch  
National Institutes of Health  
Tel: 301-496-7246  
Email: [amanda.fine@nih.gov](mailto:amanda.fine@nih.gov)  
Web: <http://www.nih.gov>

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**From:** Fine, Amanda (NIH/OD) [E]  
**Sent:** Thursday, October 27, 2016 3:42 PM  
**To:** Kassilke, Deborah (NIH/OD) [E] <[deborah.kassilke@nih.gov](mailto:deborah.kassilke@nih.gov)>; Rohrbaugh, Mark (NIH/OD) [E] <[RohrBauM@OD.NIH.GOV](mailto:RohrBauM@OD.NIH.GOV)>; Rogers, Karen (NIH/OD) [E] <[RogersK@od.nih.gov](mailto:RogersK@od.nih.gov)>  
**Cc:** [charles.nybeliski@nih.gov](mailto:charles.nybeliski@nih.gov); Niebylski, Charles (NIH/NIDDK) [E] <[niebylskicd@nidk.nih.gov](mailto:niebylskicd@nidk.nih.gov)>  
**Subject:** RE: Interview request/chlorcyclizine pricing: BuzzFeed News

Hi All-

Just following up on this to see if there was any progress in drafting responses to Dan's questions. His deadline is tomorrow.

(b) (5)

(b) (5)

(2) What are the institute's priorities when licensing these drugs?

(b) (5)

(3) How much progress has this licensee made on marketing this drug?

You would need to check with the licensee.

(4) What were the results of the Phase 1 trial that NIH funded on this drug?

These will be published in the near future.

(5) Some observers are asking: why grant an exclusive license to a small, unknown company with no track record of bringing drugs to market?

Chuck-were you able to speak to Kevin Chang about this?

Thanks to all in advance for your input and guidance.

Best,  
Amanda

(b) (5)

REL0000024708



**From:** Kassilke, Deborah (NIH/OD) [E]  
**Sent:** Tuesday, October 25, 2016 11:34 AM  
**To:** Rohrbaugh, Mark (NIH/OD) [E] <[RohrBauM@OD.NIH.GOV](mailto:RohrBauM@OD.NIH.GOV)>; Rogers, Karen (NIH/OD) [E] <[RogersK@od.nih.gov](mailto:RogersK@od.nih.gov)>  
**Cc:** Fine, Amanda (NIH/OD) [E] <[amanda.fine@nih.gov](mailto:amanda.fine@nih.gov)>; [charles.nybeliski@nih.gov](mailto:charles.nybeliski@nih.gov); Niebylski, Charles (NIH/NIDDK) [E] <[niebylskicd@niddk.nih.gov](mailto:niebylskicd@niddk.nih.gov)>  
**Subject:** RE: Interview request/chlorcyclizine pricing: BuzzFeed News

Morning Mark –

You had a bad address for Chuck so I'm adding him in with his NIDDK email.

This is actually for NIDDK to respond as we (OTT) would not feel comfortable answering questions for NIDDK on their licenses. That said, we will certainly assist NIDDK with the information we can find.

Chuck, let's chat on this tomorrow.  
 Deb

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Tuesday, October 25, 2016 10:15 AM  
**To:** Kassilke, Deborah (NIH/OD) [E] <[deborah.kassilke@nih.gov](mailto:deborah.kassilke@nih.gov)>; Rogers, Karen (NIH/OD) [E] <[RogersK@od.nih.gov](mailto:RogersK@od.nih.gov)>  
**Cc:** Fine, Amanda (NIH/OD) [E] <[amanda.fine@nih.gov](mailto:amanda.fine@nih.gov)>; [charles.nybeliski@nih.gov](mailto:charles.nybeliski@nih.gov)  
**Subject:** Fwd: Interview request/chlorcyclizine pricing: BuzzFeed News

Deb and Karen:

Could you please help me follow up on this for Amanda and the press inquiry?

(b) (5)

(b) (5)

Thanks  
 Mark

Sent from my iPhone

Begin forwarded message:

**From:** "Rohrbaugh, Mark (NIH/OD) [E]"  
<RohrBauM@OD.NIH.GOV>  
**Date:** October 24, 2016 at 9:49:59 PM GMT+1  
**To:** "Niebylski, Charles (NIH/NIDDK) [E]"  
<niebylskicd@niddk.nih.gov>  
**Cc:** "Fine, Amanda (NIH/OD) [E]" <amanda.fine@nih.gov>  
**Subject:** Re: Interview request/chlorcyclizine pricing:  
BuzzFeed News

Chuck:

See thread below. Could you help answer the questions about NIH licensing?

Thanks  
Mark

Sent from my iPhone

Begin forwarded message:

**From:** "Portilla, Lili (NIH/NCATS) [E]" <portilll@mail.nih.gov>  
**Date:** October 24, 2016 at 9:22:01 PM GMT+1  
**To:** "Rohrbaugh, Mark (NIH/OD) [E]" <RohrBauM@OD.NIH.GOV>, "Vepa, Sury (NIH/NCATS) [E]" <sury.vepa@nih.gov>  
**Subject:** RE: Interview request/chlorcyclizine pricing: BuzzFeed News

Mark:

NIDDK took the lead on this as their PI (Jake Liang) was the biology lead. NCATS has a few co-inventors on the patent who did screening and med chem. The licensing for this was done by OTT specifically Kevin Chang. Chuck Nybeliski was also very involved on the NCATS side when he was part of our office. I would speak to him on this matter in his role as Director of the NIDDK TTO.

Regards,

Lili

*Lili M. Portilla, MPA  
Director, Office of Strategic Alliances  
National Center for Advancing  
Translational Sciences, NIH  
9800 Medical Center Drive, Room 3042  
Rockville, MD 20850  
Phone: 301-217-2589  
Email: [Lilip@nih.gov](mailto:Lilip@nih.gov)*

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Monday, October 24, 2016 3:51 PM  
**To:** Driscoll, Claire (NIH/NHGRI) [E] <[cdriscol@mail.nih.gov](mailto:cdriscol@mail.nih.gov)>; Vepa, Sury (NIH/NCATS) [E] <[sury.vepa@nih.gov](mailto:sury.vepa@nih.gov)>; Portilla, Lili (NIH/NCATS) [E] <[portill@mail.nih.gov](mailto:portill@mail.nih.gov)>  
**Subject:** Re: Interview request/chlorcyclizine pricing: BuzzFeed News

Sorry Claire, meant to copy Lili

Sent from my iPhone

On Oct 24, 2016, at 8:50 PM,  
Rohrbaugh, Mark (NIH/OD) [E]  
<[RohrBauM@OD.NIH.GOV](mailto:RohrBauM@OD.NIH.GOV)>  
wrote:



Sent from my iPhone

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message:

**From:**  
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(NIH/  
OD)

[E]"

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OD)

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<myles

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wicz@

.nih.gov

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**Subject:**

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**BuzzFeed**

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**News**

(b) (5)

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Thanks  
Mark!  
Hope  
you're  
not  
working  
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vacatio  
n.

Amand  
a

**From:**

Rohrbaugh,  
Mark  
(NIH/OD) [E]

**Sent:**

Monday,  
October 24,  
2016  
3:22 PM

**To:**

Fine,  
Amanda

■

(NIH/OD) [E]

<[amanda.fine@nih.gov](mailto:amanda.fine@nih.gov)>

**Cc:**

McBurney,  
Margaret  
(NIH/OD) [E]  
<[mmcburney@od.nih.gov](mailto:mmcburney@od.nih.gov)>;

Hardesty,  
Rebecca  
(NIH/OD) [C]

<[rebecca.hardesty@nih.gov](mailto:rebecca.hardesty@nih.gov)>;

Myles,  
Renate  
(NIH/OD) [E]

<[mylesr@od.nih.gov](mailto:mylesr@od.nih.gov)>;

Wojtow



icz,  
Emma  
(NIH/O  
D) (E)  
<[emma.wojto-wicz@nih.gov](mailto:emma.wojto-wicz@nih.gov)>

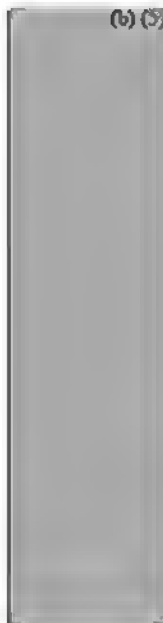
**Subject**  
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pricing:  
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I am  
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(b) (5)





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2016,  
at 8:10  
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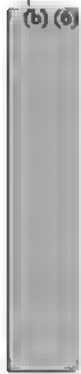
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## JANUARY PAYNE

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**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Monday, October 24, 2016 3:51 PM  
**To:** Driscoll, Claire (NIH/NHGRI) [E] <[cdriscol@mail.nih.gov](mailto:cdriscol@mail.nih.gov)>; Vepa, Sury (NIH/NCATS) [E] <[sury.vepa@nih.gov](mailto:sury.vepa@nih.gov)>; Portilla, Lili (NIH/NCATS) [E] <[portill@mail.nih.gov](mailto:portill@mail.nih.gov)>  
**Subject:** Re: Interview request/chlorcyclizine pricing: BuzzFeed News

Sorry Claire, meant to copy Lili

Sent from my iPhone

On Oct 24, 2016, at 8:50 PM, Rohrbaugh, Mark (NIH/OD) [E] <[RohrBauM@OD.NIH.GOV](mailto:RohrBauM@OD.NIH.GOV)> wrote:

[REDACTED] (b) (3)

Sent from my iPhone

Begin forwarded message:

**From:** "Finc, Amanda (NIH/OD) [E]" <[amanda.finc@nih.gov](mailto:amanda.finc@nih.gov)>  
**Date:** October 24, 2016 at 8:27:59 PM GMT+1  
**To:** "Rohrbaugh, Mark (NIH/OD) [E]" <[RohrBauM@OD.NIH.GOV](mailto:RohrBauM@OD.NIH.GOV)>  
**Cc:** "McBurney, Margaret (NIH/OD) [E]" <[mmcburney@od.nih.gov](mailto:mmcburney@od.nih.gov)>, "Hardesty, Rebecca (NIH/OD) [C]" <[rebecca.hardesty@nih.gov](mailto:rebecca.hardesty@nih.gov)>, "Myles, Renate (NIH/OD) [E]" <[mylesr@od.nih.gov](mailto:mylesr@od.nih.gov)>, "Wojtowicz, Emma (NIH/OD) [E]" <[cmma.wojtowicz@nih.gov](mailto:cmma.wojtowicz@nih.gov)>  
**Subject:** RE: Interview request/chlorcyclizine pricing: BuzzFeed News

[REDACTED] (b) (3)

Thanks Mark! Hope you're not working while on vacation.

Amanda

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Monday, October 24, 2016 3:22 PM  
**To:** Fine, Amanda (NIH/OD) [E] <[amanda.fine@nih.gov](mailto:amanda.fine@nih.gov)>

Cc: McBurney, Margaret (NIH/OD) [E] <mmcburney@od.nih.gov>; Hardesty, Rebecca (NIH/OD) [C] <rebecca.hardesty@nih.gov>; Myles, Renate (NIH/OD) [E] <mylesr@od.nih.gov>; Wojtowicz, Emma (NIH/OD) [E] <emma.wojtowicz@nih.gov>

**Subject:** Re: Interview request/chlorcyclizine pricing: BuzzFeed News

I am available. Looks ok to me. Not sure why the email thread was released under FOIA. There is more one could say but this is the basic message. [REDACTED] (b) (5)

Sent from my iPhone

On Oct 24, 2016, at 8:10 PM, Fine, Amanda (NIH/OD) [E] <amanda.fine@nih.gov> wrote:

Greetings-

I'm including all three of you per Mark's out of office and given that the reporter's deadline is October 28.

NIDDK received the below inquiry from Dan Vergano at BuzzFeed regarding Knowledge Ecology International's (KEI) questions about the drug chlorcyclizine which had/has a small trial at the CC. Attached is a back and forth with NIDDK/NCATS that KEI got through FOIA. Dan's questions are below. [REDACTED] (b) (5)

Thank you in advance for your input and guidance,  
Amanda

Amanda Fine  
Deputy, New Mexico Branch  
National Institutes of Health



424, 5, 42,  
ananda.fine@nih.gov  
http://www.nih.gov

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**From:** Payne, January (NIH/NIDDK) [E]  
**Sent:** Monday, October 24, 2016 2:54 PM  
**To:** OCPLPressTeam <OCPLPressTeam@od.nih.gov>;  
ODOCPLInterviews (NIH/OD OCPL )  
<ODOCPLInterviews@mail.nih.gov>  
**Cc:** NIDDK NIDDKMEDIA (NIH/NIDDK)  
<niddkmedia@niddk.nih.gov>  
**Subject:** Interview request/chlorcyclizine pricing:  
BuzzFeed News

Hello, NIDDK received an interview request from a BuzzFeed reporter asking about NIH involvement in licensing and drug pricing for chlorcyclizine. Chuck Niebyski, director of NIDDK's Technology Advancement Office, asked that I refer this request to NIH OD as it involves NIH's policy on drug pricing.

Below is the complete email exchange I've had with the reporter, Dan Vergano, and attached is a PDF of an email chain between NIH employees that the reporter received via a public interest group called Knowledge Ecology International, which obtained the records via a FOIA request. (Please note, for background: KEI also published this 2015 post about the same drug.)

Is NIH OD able to respond to this request?

Thank you,  
January W. Payne  
Office of Communications and Public Liaison  
National Institute of Diabetes and Digestive and Kidney  
Diseases  
NATIONAL INSTITUTES OF HEALTH  
Direct 301-435-8115  
Cell (b) (6)  
Office 301-496-3583  
[www.niddk.nih.gov](http://www.niddk.nih.gov)

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**From:** Dan Vergano  
[mailto:[dan.vergano@buzzfeed.com](mailto:dan.vergano@buzzfeed.com)]  
**Sent:** Monday, October 24, 2016 12:29 PM  
**To:** Payne, January (NIH/NIDDK) [E]

REL0000024715

<january.payne@nih.gov>

**Subject:** Re: BuzzFeed News: press contact / licensing

January,

Thanks for getting back to me

-- The drug is chlorcyclizine (link to license annct below), and the public interest group, Knowledge Ecology International (which often looks at NIH licenses) is complaining that its request for "reasonable pricing" requirements in the license were brushed aside to the detriment of taxpayers. The group has just received a public records request (a portion is attached) and suggests they show that NIH is worried more about scaring off the licensee than benefiting the taxpayers who funded this drug and have no assurance they won't have to pay excessively high prices for it.

– I'm looking for an agency response to this contention.

-- My deadline is 10/28/16 at 5 PM EDT

-- My questions would basically be:

How do you respond to their complaint?

What are the institute's priorities when licensing these drugs?

How much progress has this licensee made on marketing this drug?

What were the results of the Phase I trial that NIH funded on this drug?

Some observers are asking: why grant an exclusive license to a small, unknown company with no track record of bringing drugs to market?

I'd have follow-ups depending on the answers, natch, and would want to hear any responses to smarter questions on all this that your folks might have.

Any help appreciated.

Dan Vergano  
BuzzFeed News  
202 629 4563

**Dan Vergano** | Science Reporter (DC) | 202 629 4563  
**BuzzFeed**  
1630 Connecticut Ave. 7th Floor, Washington DC 20009

link: <https://s3.amazonaws.com/public-inspection.federalregister.gov/2015-06974.pdf>

**Dan Vergano** | Science Reporter (DC) | 202 629 4563  
**BuzzFeed**  
1630 Connecticut Ave. 7th Floor, Washington DC 20009

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On Mon, Oct 24, 2016 at 11:57 AM, Payne, January (NIH/NIDDK) [E] <[january.paync@nih.gov](mailto:january.paync@nih.gov)> wrote:

Dear Dan,

Thanks for your message. Can you please provide more information so I can look into your request?

- What is the drug name, and can you please briefly describe the issue that has been raised? Also, what is the name of the public interest group?
- What is your hard deadline?
- Can you please provide a few examples of questions you'd like to ask?

Best,

January W. Payne

Office of Communications and Public Liaison  
National Institute of Diabetes and Digestive and Kidney Diseases

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**From:** Dan Vergano

[mailto:[dan.vergano@buzzfeed.com](mailto:dan.vergano@buzzfeed.com)]

**Sent:** Monday, October 24, 2016 11:25 AM

**To:** NIDDK NIDDKMEDIA (NIH/NIDDK)

REL0000024715

<niddkmedia@niddk.nih.gov>

**Subject:** Fwd: BuzzFeed News: press contact / licensing

Krysten's email responder suggested I send this note to this contact. I have also left a phone message with the press office. I am looking for comment this week.

Ms. Carrera,

I'm a science reporter at BuzzFeed News. I'm looking for a press contact at NIDDK who can address a drug licensing issue at your institute. A public interest group is raising questions about one of your licenses and I'd like to get a response from the institute.

Thanks for any help,

Dan Vergano

BuzzFeed News

202/629-4563

**Dan Vergano** | Science Reporter (DC) | 202 629 4563  
**BuzzFeed**  
1630 Connecticut Ave. 7th Floor, Washington DC  
20009

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[Search for January Payne on Google](#)

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National Institute of  
Diabetes and Digestive  
and Kidney Diseases

**From:** Rohrbaugh, Mark (NIH/OD) [E] [/O=NIH/OU=NIH/EXCHANGE/CN=OD/CN=ROHRBAUM]  
**Sent:** 6/16/2017 9:28:05 PM  
**To:** Dodson, Sara (NIH/OD) [E] [/O=NIH/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Dodsonse]  
**Subject:** Re: final memo to FC on royalties

Thanks. How about

(b) (5)

Sent from my iPhone

On Jun 16, 2017, at 3:59 PM, Dodson, Sara (NIH/OD) [E] <[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)> wrote:

Sure, see the full letter below and the tracked changes Word doc attached.

(b) (5)

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:51 PM  
**To:** Dodson, Sara (NIH/OD) [E] <[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)>  
**Subject:** Re: final memo to FC on royalties

Can you put the final showing your and Dales edits into the body of an email please? Lyric said i can get this in on Monday

Sent from my iPhone

On Jun 16, 2017, at 3:44 PM, Dodson, Sara (NIH/OD) [E] <[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)> wrote:

Sorry – I somehow did that in the Word doc but not in the email body. It's changed.  
Anything else?



**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:44 PM  
**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>  
**Subject:** Re: final memo to FC on royalties

[REDACTED] (b) (5)

Sent from my iPhone

On Jun 16, 2017, at 3:39 PM, Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov> wrote:

[REDACTED] (b) (5)

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:36 PM  
**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>  
**Subject:** Re: final memo to FC on royalties

[REDACTED] (b) (5)

Sent from my iPhone

On Jun 16, 2017, at 3:32 PM, Dodson, Sara (NIH/OD) [E]  
<sara.dodson@nih.gov> wrote:

OK – Ignore my 4:24 reply.

[REDACTED] (b) (5)

[REDACTED] (b) (5)

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:29 PM  
**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>  
**Subject:** Re: final memo to FC on royalties

Can't see the edits [REDACTED] (b) (5)

Sent from my iPhone

On Jun 16, 2017, at 3:15 PM, Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov> wrote:

I can see OGC's and 4 comments. Do you want me to send you all of the text in an email and highlight OGC's additions?

[REDACTED] (b) (5)

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:12 PM  
**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>  
**Subject:** Re: final memo to FC on royalties

Can you see his edits from the original?

Sent from my iPhone

On Jun 16, 2017, at 2:59 PM, Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov> wrote:

Sure, Mark. I'm taking a look at this now.

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 3:43 PM  
**To:** Dodson, Sara

(NIH/OD) [E]  
<sara.dodson@nih.gov  
>

**Cc:** Jorgenson, Lyric  
(NIH/OD) [E]  
<jorgensonla@od.nih.g  
ov>

**Subject:** Fwd: final  
memo to FC on  
royalties

Sorry to bug you late on  
Friday but could you try  
and edit this today  
based on my  
comments. I will send  
you Dale's edits  
separately

Sent from my iPhone

Begin forwarded  
message:

**From:**

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augh,  
Mark  
(NIH/O  
D) [E]"

<RohrB  
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**Date:**

June  
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**To:**

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<WF365656 KEI Response OEROSP (002)--OGCBerkleyComments\_MR.docx>

**From:** Rohrbaugh, Mark (NIH/OD) [E] [/O=NIH/OU=NIHCHANGE/CN=OD/CN=ROHRBAUM]  
**Sent:** 6/16/2017 9:03:35 PM  
**To:** (b) (6)  
**Subject:** Fwd: final memo to FC on royalties  
**Attachments:** WF365656 KEI Response OEROSP (002)--OGCBerkleyComments\_MR.docx; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

**From:** "Dodson, Sara (NIH/OD) [E]" <[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)>  
**Date:** June 16, 2017 at 3:59:06 PM CDT  
**To:** "Rohrbaugh, Mark (NIH/OD) [E]" <[RohrBauM@OD.NIH.GOV](mailto:RohrBauM@OD.NIH.GOV)>  
**Subject:** RE: final memo to FC on royalties

Sure, see the full letter below and the tracked changes Word doc attached.

(b) (5)

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:51 PM  
**To:** Dodson, Sara (NIH/OD) [E] <[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)>  
**Subject:** Re: final memo to FC on royalties

Can you put the final showing your and Dales edits into the body of an email please? Lyric said i can get this in on Monday

Sent from my iPhone

On Jun 16, 2017, at 3:44 PM, Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov> wrote:

Sorry – I somehow did that in the Word doc but not in the email body. It's changed.  
Anything else?

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:44 PM  
**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>  
**Subject:** Re: final memo to FC on royalties

[REDACTED] (b) (5)

Sent from my iPhone

On Jun 16, 2017, at 3:39 PM, Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov> wrote:

[REDACTED] (b) (5)

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:36 PM  
**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>  
**Subject:** Re: final memo to FC on royalties

[REDACTED] (b) (5)

Sent from my iPhone

On Jun 16, 2017, at 3:32 PM, Dodson, Sara (NIH/OD) [E]  
<sara.dodson@nih.gov> wrote:

OK – Ignore my 4:24 reply. [REDACTED] (b) (5)

[REDACTED] (b) (5)



**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:29 PM  
**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>  
**Subject:** Re: final memo to FC on royalties

Can't see the edits.



Sent from my iPhone

On Jun 16, 2017, at 3:15 PM, Dodson, Sara (NIH/OD) [E]  
<sara.dodson@nih.gov> wrote:

I can see OGC's and 4 comments. Do  
you want me to send you all of the text  
in an email and highlight OGC's  
additions?



**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:12 PM  
**To:** Dodson, Sara (NIH/OD) [E]  
<sara.dodson@nih.gov>  
**Subject:** Re: final memo to FC on  
royalties

Can you see his edits from the original?

Sent from my iPhone

On Jun 16, 2017, at 2:59 PM, Dodson,  
Sara (NIH/OD) [E]  
<sara.dodson@nih.gov> wrote:

Sure, Mark. I'm taking a  
look at this now.



**From:** Rohrbaugh, Mark  
(NIH/OD) [E]  
**Sent:** Friday, June 16,  
2017 3:43 PM  
**To:** Dodson, Sara  
(NIH/OD) [E]  
<[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)>  
>  
**Cc:** Jorgenson, Lyric  
(NIH/OD) [E]  
<[jorgensonla@od.nih.gov](mailto:jorgensonla@od.nih.gov)>  
**Subject:** Fwd: final  
memo to FC on  
royalties

Sorry to bug you late on  
Friday but could you try  
and edit this today  
based on my  
comments. I will send  
you Dale's edits  
separately

Sent from my iPhone

Begin forwarded  
message:

**From:**  
"Rohrb  
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Mark  
(NIH/O  
D) [E]"  
<[RohrB  
auM@  
OD.NIH  
GOV](mailto:RohrBauM@OD.NIH.GOV)>  
**Date:**  
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2:28:40  
PM CDT  
**To:**  
"Berkle  
y, Dale  
(NIH/O  
D) [E]"  
<[Berkle  
yD@OD](mailto:BerkleyD@OD)>

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OV>

Cc:

"Jorgen

son,

Lyric

(NIH/O

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: Re:

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On Jun  
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at 3:09  
PM,  
Berkley  
, Dale  
(NIH/O  
D) [E]

<[BerkleyD@OD.NIH.GOV](mailto:BerkleyD@OD.NIH.GOV)>  
wrote:

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origenson, lyric (N.H./OD) (EJAV) [origenson@unh.edu](mailto:origenson@unh.edu) : UNH : 603/882-3333 : H&M

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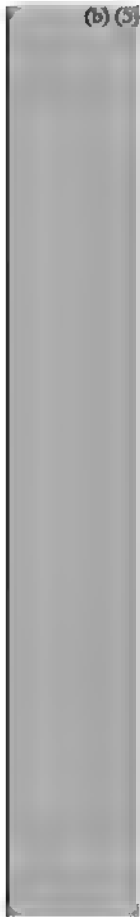
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**From:** Rohrbaugh Mark (NIH/OD) [E] [/O=NIH/OU=NIH/EXCHANGE/CN=OD/CN=ROHRBAUM]  
**Sent:** 6/16/2017 10:47:31 PM  
**To:** Dodson, Sara (NIH/OD) [E] [/O=NIH/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Dodsonse]  
**Subject:** Re: final memo to FC on royalties

Tour of the Deep South with [REDACTED] (b) (6)

Sent from my iPhone

On Jun 16, 2017, at 5:33 PM, Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov> wrote:

I didn't realize you were in the 'ham! [REDACTED] (b) (6) Hope you have a nice visit.

I'm attached a fresh Word doc with those changes to the last paragraph incorporated.

Have a great weekend,  
Sara

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 6:19 PM  
**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>  
**Subject:** Re: final memo to FC on royalties

Yes. Thx for your help

Greetings from Birmingham AL

Sent from my iPhone

On Jun 16, 2017, at 4:34 PM, Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov> wrote:

Yeah, that seems good. [REDACTED] (b) (5)

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 5:28 PM  
**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>  
**Subject:** Re: final memo to FC on royalties

Thanks. How about [REDACTED] (b) (5)

Sent from my iPhone

On Jun 16, 2017, at 3:59 PM, Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov> wrote:

Sure, see the full letter below and the tracked changes Word doc attached.



**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:51 PM  
**To:** Dodson, Sara (NIH/OD) [E] <[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)>  
**Subject:** Re: final memo to FC on royalties

Can you put the final showing your and Dales edits into the body of an email please? Lyric said i can get this in on Monday

Sent from my iPhone

On Jun 16, 2017, at 3:44 PM, Dodson, Sara (NIH/OD) [E]  
<[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)> wrote:

Sorry – I somehow did that in the Word doc but not in the email body. It's changed. Anything else?

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:44 PM  
**To:** Dodson, Sara (NIH/OD) [E] <[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)>  
**Subject:** Re: final memo to FC on royalties

 (b) (5)

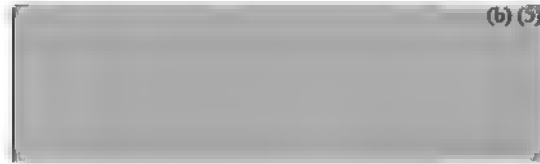
Sent from my iPhone

On Jun 16, 2017, at 3:39 PM, Dodson, Sara (NIH/OD) [E]  
<[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)> wrote:

 (b) (5)

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:36 PM  
**To:** Dodson, Sara (NIH/OD) [E]  
<[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)>  
**Subject:** Re: final memo to FC on royalties

(b) (5)

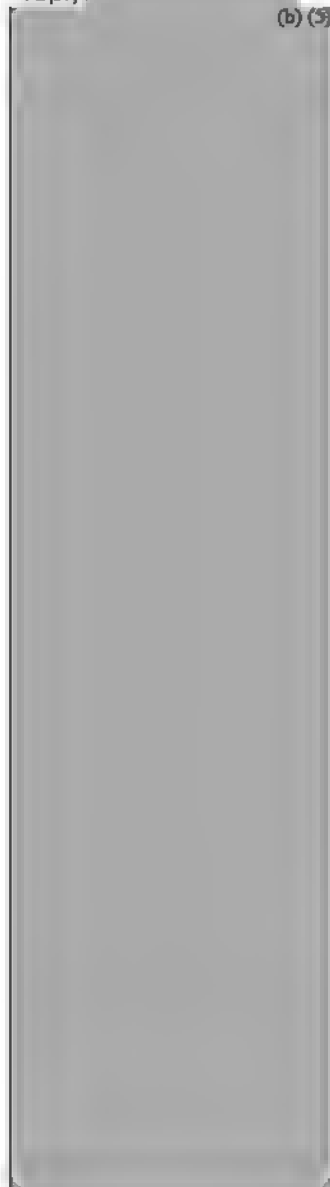


Sent from my iPhone

On Jun 16, 2017, at 3:32 PM, Dodson,  
Sara (NIH/OD) [E]  
<[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)> wrote:

OK – ignore my 4 24  
reply

(b) (5)



**From:** Rohrbaugh, Mark  
(NIH/OD) [E]

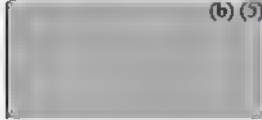
**Sent:** Friday, June 16,  
2017 4:29 PM

**To:** Dodson, Sara  
(NIH/OD) [E]  
<sara.dodson@nih.gov>

>

**Subject:** Re: final memo  
to FC on royalties

Can't see the edits.



Sent from my iPhone

On Jun 16, 2017, at  
3:15 PM, Dodson, Sara  
(NIH/OD) [E]

<sara.dodson@nih.gov>

> wrote:

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**From:**

Rohrbaugh,  
Mark  
(NIH/OD) [E]

**Sent:**

Friday,  
June  
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4:12  
PM

**To:**

Dodson,  
Sara  
(NIH/OD) [E]

[<sara.dodson@nih.gov>](mailto:sara.dodson@nih.gov)

**Subject**

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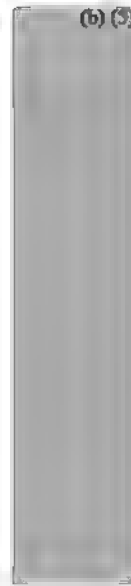


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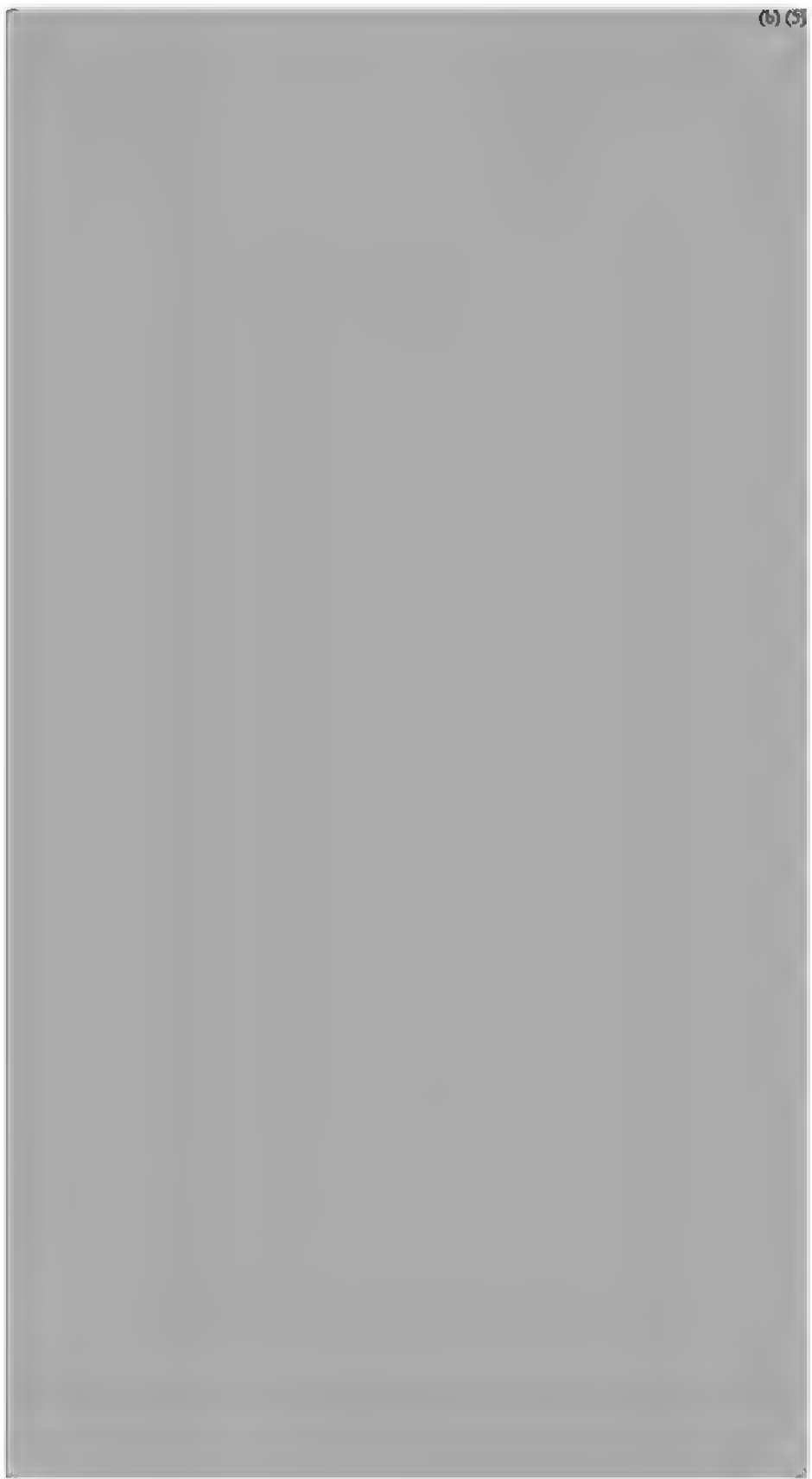


Sure, see the full letter below and the tracked changes Word doc attached.

(b) (5)







**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:51 PM

**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>

**Subject:** Re: final memo to FC on royalties

Can you put the final showing your and Dales edits into the body of an email please? Lyric said i can get this in on Monday

Sent from my iPhone

On Jun 16, 2017, at 3:44 PM, Dodson, Sara (NIH/OD) [E]

<sara.dodson@nih.gov> wrote:

Sorry – I somehow did that in the Word doc but not in the email body. It's changed. Anything else?

**From:** Rohrbaugh, Mark (NIH/OD) [E]

**Sent:** Friday, June 16, 2017 4:44 PM

**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>

**Subject:** Re: final memo to FC on royalties

 (b) (5)

Sent from my iPhone

On Jun 16, 2017, at 3:39 PM, Dodson, Sara (NIH/OD) [E]

<sara.dodson@nih.gov> wrote:

 (b) (5)

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:36 PM  
**To:** Dodson, Sara (NIH/OD) [E]  
<[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)>  
**Subject:** Re: final memo to FC on royalties

(b) (5)

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Sent from my iPhone

On Jun 16, 2017, at 3:32 PM, Dodson, Sara (NIH/OD) [E]  
<[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)> wrote:

OK – Ignore my 4:24

reply | (b) (5)

(b) (5)

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(b) (5)

**From:** Rohrbaugh, Mark  
(NIH/OD) [E]

**Sent:** Friday, June 16,  
2017 4:29 PM

**To:** Dodson, Sara  
(NIH/OD) [E]  
<sara.dodson@nih.gov>  
>

**Subject:** Re: final memo  
to FC on royalties

Can't see the edits. (b) (5)

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Sent from my iPhone

On Jun 16, 2017, at  
3:15 PM, Dodson, Sara  
(NIH/OD) [E]  
<sara.dodson@nih.gov>  
> wrote:

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**From:**

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**Sent:**

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**To:**

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Sara  
(NIH/OD) [E]  
<sara.dodson@nih.gov>

**Subject**

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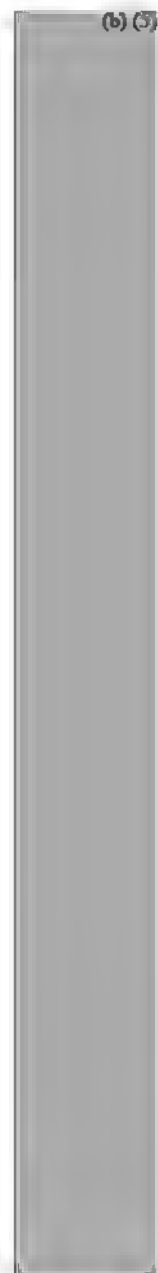
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ey, Dale (NIH/OD) [E] <BerkleyD@OD.NIH.GOV> CC: Jorgenson, L

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**From:** Rohrbaugh, Mark (NIH/OD) [E] [/O=NIH/OU=NIH/EXCHANGE/CN=OD/CN=ROHRBAUM]  
**Sent:** 6/16/2017 8:35:05 PM  
**To:** Dodson, Sara (NIH/OD) [E] [/O=NIH/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Dodsonse]  
**Subject:** Re: final memo to FC on royalties

[REDACTED] (b) (5)

Sent from my iPhone

On Jun 16, 2017, at 3:32 PM, Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov> wrote:

OK – Ignore my 4:24 reply. [REDACTED] (b) (5)

[REDACTED] (b) (5)

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:29 PM  
**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>  
**Subject:** Re: final memo to FC on royalties

Can't see the edits. [REDACTED] (b) (5)

Sent from my iPhone

On Jun 16, 2017, at 3:15 PM, Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov> wrote:

I can see OGC's and 4 comments. Do you want me to send you all of the text in an email and highlight OGC's additions?

[REDACTED] (b) (5)

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:12 PM  
**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>  
**Subject:** Re: final memo to FC on royalties

Can you see his edits from the original?

Sent from my iPhone

On Jun 16, 2017, at 2:59 PM, Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov> wrote:

Sure, Mark. I'm taking a look at this now.

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 3:43 PM  
**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>  
**Cc:** Jorgenson, Lyric (NIH/OD) [E] <jorgensonla@od.nih.gov>  
**Subject:** Fwd: final memo to FC on royalties

Sorry to bug you late on Friday but could you try and edit this today based on my comments. I will send you Dale's edits separately

Sent from my iPhone

Begin forwarded message:

**From:** "Rohrbaugh, Mark (NIH/OD) [E]"  
<RohrBauM@OD.NIH.GOV>  
**Date:** June 16, 2017 at 2:28:40 PM CDT  
**To:** "Berkley, Dale (NIH/OD) [E]"  
<BerkleyD@OD.NIH.GOV>  
**Cc:** "Jorgenson, Lyric (NIH/OD) [E]"  
<jorgensonla@od.nih.gov>, "Hammersla, Ann (NIH/OD) [E]" <hammerslaa@mail.nih.gov>  
**Subject:** Re: final memo to FC on royalties



The challenge to edit it is that I am traveling all day and can only work on my iPhone.

Sent from my iPhone

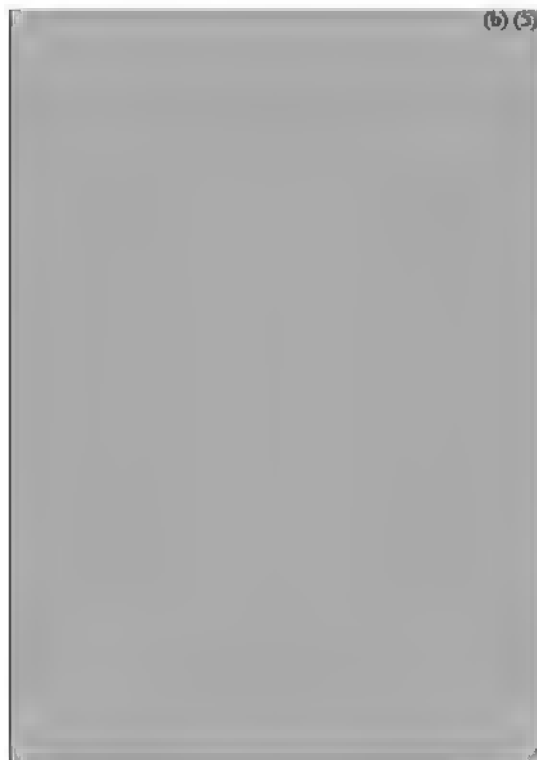
On Jun 16, 2017, at 3:09 PM, Berkley, Dale (NIH/OD) [E] <BerkleyD@OD.NIH.GOV> wrote:



Dale D. Berkley, Ph.D., J.D.  
Office of the General Counsel, PHD, NIH Branch  
Bldg. 3, Rm. 4  
Bethesda, MD 20892  
301 496 6043  
301 402 2528(Fax)

This message is intended for the exclusive use of the recipient(s) named above. It may contain information that is PROTECTED or PRIVILEGED, and it should not be disseminated, distributed, or copied to persons not authorized to receive such information.

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 3:07 PM  
**To:** Berkley, Dale (NIH/OD) [E]  
<[BerkleyD@OD.NIH.GOV](mailto:BerkleyD@OD.NIH.GOV)>  
**Cc:** Jorgenson, Lyric (NIH/OD) [E]  
<[jorgensonla@od.nih.gov](mailto:jorgensonla@od.nih.gov)>; Hammerslaa, Ann (NIH/OD) [E]  
<[hammerslaa@mail.nih.gov](mailto:hammerslaa@mail.nih.gov)>  
**Subject:** Re: final memo to FC on royalties



Sent from my iPhone

On Jun 16, 2017, at 11:26 AM, Berkley, Dale (NIH/OD) [E]  
<[BerkleyD@OD.NIH.GOV](mailto:BerkleyD@OD.NIH.GOV)> wrote:

Attached are a few  
edits and comments for  
your consideration.

Best, Dale

Dale D. Berkley, Ph.D., J.D.  
Office of the General Counsel,  
PHD, NIH Branch

REL0000024772

Bldg. 31, Rm. 47  
Bethesda, MD 20892  
301 496 6043  
301 402 2528(Fax)

This message is intended for the exclusive use of the recipient(s) named above. It may contain information that is PROTECTED or PRIVILEGED, and it should not be disseminated, distributed, or copied to persons not authorized to receive such information.

**From:** Jorgenson, Lyric  
(NIH/OD) [E]  
**Sent:** Friday, June 16,  
2017 10:07 AM  
**To:** Berkley, Dale  
(NIH/OD) [E]  
<[BerkleyD@OD.NIH.GOV](mailto:BerkleyD@OD.NIH.GOV)>  
**Cc:** Rohrbaugh, Mark  
(NIH/OD) [E]  
<[RohrBauM@OD.NIH.GOV](mailto:RohrBauM@OD.NIH.GOV)>  
**Subject:** FW: final  
memo to FC on  
royalties

Hi Dale,

Let me apologize in advance for being needy— I believe Mark Rohrbaugh sent you a copy of this draft response to KEI regarding CRISPR royalties. We are trying to get it under Francis' review today before Carrie leaves town. Did you have a chance to review?

Again — I apologize for the turn around.

Best,

Lyric

**From:** Rohrbaugh, Mark  
(NIH/OD) [E]  
**Sent:** Monday, May 15,  
2017 3:19 PM

REL0000024772

**To:** Jorgenson, Lyric  
(NIH/OD) [E]  
<jorgensonla@od.nih.gov>  
**Subject:** final memo to  
FC on royalties

Mark L. Rohrbaugh,  
Ph.D., J.D.  
Special Advisor for  
Technology Transfer  
Director, Division of  
Technology Transfer  
and Innovation Policy  
Office of Science Policy  
Office of the Director  
National Institutes of  
Health

<WF365656 KEI  
Response OEROSP  
(002)--  
OGCBerkleyComments.docx>

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**From:** Rohrbaugh, Mark (NIH/OD) [E] [/O=NIH/OU=NIEXCHANGE/CN=OD/CN=ROHRBAUM]  
**Sent:** 6/16/2017 8:55:35 PM  
**To:** Dodson, Sara (NIH/OD) [E] [/O=NIH/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Dodsonse]  
**Subject:** Re: final memo to FC on royalties

And send the word attachments with the edits too please

Sent from my iPhone

On Jun 16, 2017, at 3:44 PM, Dodson, Sara (NIH/OD) [E] <[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)> wrote:

Sorry – I somehow did that in the Word doc but not in the email body. It's changed. Anything else?

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:44 PM  
**To:** Dodson, Sara (NIH/OD) [E] <[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)>  
**Subject:** Re: final memo to FC on royalties

[REDACTED] (b) (5)

Sent from my iPhone

On Jun 16, 2017, at 3:39 PM, Dodson, Sara (NIH/OD) [E] <[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)> wrote:

[REDACTED] (b) (5)

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:36 PM  
**To:** Dodson, Sara (NIH/OD) [E] <[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)>  
**Subject:** Re: final memo to FC on royalties

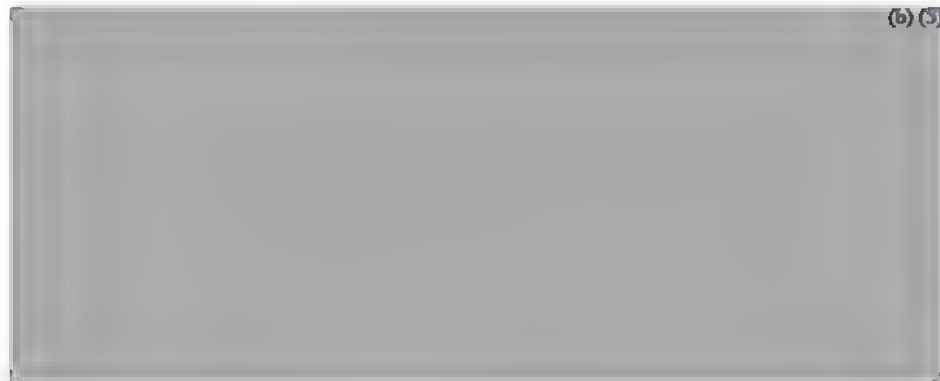
[REDACTED] (b) (5)

Sent from my iPhone

On Jun 16, 2017, at 3:32 PM, Dodson, Sara (NIH/OD) [E] <[sara.dodson@nih.gov](mailto:sara.dodson@nih.gov)> wrote:

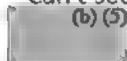
OK – Ignore my 4:24 reply [REDACTED] (b) (5)





**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 4:29 PM  
**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>  
**Subject:** Re: final memo to FC on royalties

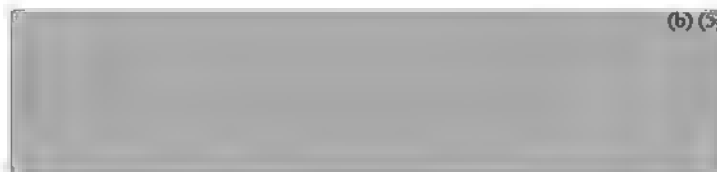
Can't see the edits.



Sent from my iPhone

On Jun 16, 2017, at 3:15 PM, Dodson, Sara (NIH/OD) [E]  
<sara.dodson@nih.gov> wrote:

I can see OGC's and 4 comments. Do you want me to  
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**Subject:** Re: final memo to FC on royalties

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<sara.dodson@nih.gov> wrote:

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now.

**From:** Rohrbaugh, Mark (NIH/OD) [E]  
**Sent:** Friday, June 16, 2017 3:43 PM  
**To:** Dodson, Sara (NIH/OD) [E]

<sara.dodson@nih.gov>

**Cc:** Jorgenson, Lyric (NIH/OD) [E]

<jorgensonla@od.nih.gov>

**Subject:** Fwd: final memo to FC on royalties

Sorry to bug you late on Friday but could you try and edit this today based on my comments. I will send you Dale's edits separately

Sent from my iPhone

Begin forwarded message:

**From:** "Rohrbaugh, Mark (NIH/OD) [E]"  
<RohrBauM@OD.NIH.GOV>

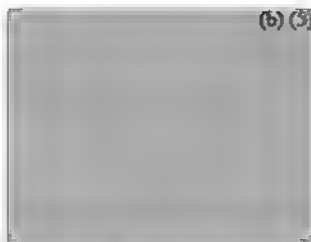
**Date:** June 16, 2017 at 2:28:40 PM CDT

**To:** "Berkley, Dale (NIH/OD) [E]"  
<BerkleyD@OD.NIH.GOV>

**Cc:** "Jorgenson, Lyric (NIH/OD) [E]"  
<jorgensonla@od.nih.gov>, "Hammersla, Ann (NIH/OD) [E]"  
<hammerslaa@mail.nih.gov>

**Subject:** Re: final memo to FC on royalties

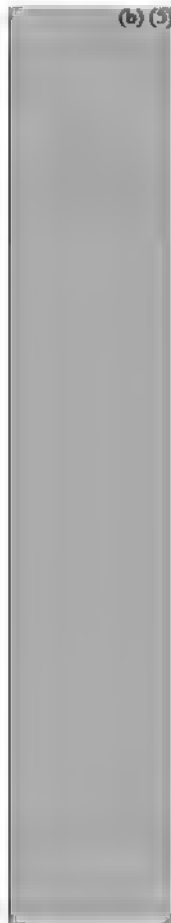




The challenge to edit it is that I am traveling all day and can only work on my iPhone.

Sent from my iPhone

On Jun 16, 2017, at 3:09 PM, Berkley, Dale (NIH/OD) [E]  
<[BerkleyD@OD.NIH.GOV](mailto:BerkleyD@OD.NIH.GOV)> wrote:



Dale D  
Berkley,  
Ph.D., J.D.  
Office of  
the General  
Counsel  
PHD, NIH  
Branch  
Bldg. 31,  
Rm 47  
Bethesda,  
MD 20892

301 496-  
6043  
301 402  
2528(Fax)  
This  
message is  
intended for  
the  
exclusive  
use of the  
recipient(s)  
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above. It  
may contain  
information  
that is  
PROTECT  
ED or  
PRIVILEG  
ED, and it  
should not  
be  
disseminate  
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distributed,  
or copied to  
persons not  
authorized  
to receive  
such  
information

**From:**

Rohrba  
ugh,  
Mark  
(NIH/O  
D) [E]

**Sent:**

Friday,  
June  
16,  
2017  
3:07  
PM

**To:**

Berkley  
, Dale  
(NIH/O  
D) [E]

<Berkle  
yD@OD  
.NIH.G  
OV>

**Cc:**

Jorgens  
on,  
Lyric  
(NIH/O  
D) [E]

<jorgen  
sonia@  
od.nih.

gov>  
Hamme  
rsia,  
Ann  
(NIH/O  
D) [E]  
<hamm  
erslaa  
@mail.  
nih.gov  
>

**Subject**  
: Re:  
final  
memo  
to FC  
on  
royaltie  
s

(b) (5)



(b) (3)



REL0000024774

(b) (5)



Sent  
from  
my  
iPhone

On Jun  
16,  
2017,  
at  
11:26  
AM,  
Berkley  
, Dale  
(NIH/O  
D) [E]

REL0000024774

<Berkle  
yD@OD  
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wrote:

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What do you think? (b) (5)

On Jun 16, 2017, at 3:39 PM, Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov> wrote:

Sent from my iPhone

On Jun 16, 2017, at 3:32 PM, Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov> wrote:

OK – Ignore my 4:24 reply.

REL0000024778

**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>

**Subject:** Re: final memo to FC on royalties

Can't see the edits.

(b) (5)

Sent from my iPhone

On Jun 16, 2017, at 3:15 PM, Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov> wrote:

I can see OGC's and 4 comments. Do you want me to send you all of the text in an email and highlight OGC's additions?

(b) (5)

**From:** Rohrbaugh, Mark (NIH/OD) [E]

**Sent:** Friday, June 16, 2017 4:12 PM

**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>

**Subject:** Re: final memo to FC on royalties

Can you see his edits from the original?

Sent from my iPhone

On Jun 16, 2017, at 2:59 PM, Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov> wrote:

Sure, Mark. I'm taking a look at this now.

**From:** Rohrbaugh, Mark (NIH/OD) [E]

**Sent:** Friday, June 16, 2017 3:43 PM

**To:** Dodson, Sara (NIH/OD) [E] <sara.dodson@nih.gov>

**Cc:** Jorgenson, Lyric (NIH/OD) [E]

<jorgensonla@od.nih.gov>

**Subject:** Fwd: final memo to FC on royalties

Sorry to bug you late on Friday but could you try and edit this today based on my comments. I will send you Dale's edits separately

Sent from my iPhone

Begin forwarded message:

**From:** "Rohrbaugh, Mark (NIH/OD) [E]"

<RohrBauM@OD.NIH.GOV>

**Date:** June 16, 2017 at 2:28:40 PM CDT

**To:** "Berkley, Dale (NIH/OD) [E]"

<BerkleyD@OD.NIH.GOV>

**Cc:** "Jorgenson, Lyric (NIH/OD) [E]"

<jorgensonla@od.nih.gov>,

"Hammersla, Ann (NIH/OD) [E]"

REL0000024778

<hammerslaa@mail.nih.gov>

**Subject: Re: final memo to FC on royalties**



The challenge to edit it is that I am traveling all day and can only work on my iPhone.

Sent from my iPhone

On Jun 16, 2017, at 3:09 PM, Berkley, Dale (N H/OD) [E]

<BerkleyD@OD.NIH.GOV> wrote:



Dale D Berkley, Ph.D., J.D.  
Office of the General Counsel,  
PHD, NIH Branch  
Bldg. 31, Rm 47  
Bethesda, MD 20892  
301 496 6043  
301 402 2528(Fax)

This message is intended for the exclusive use of the recipient(s) named above. It may contain information that is PROTECTED or PRIVILEGED, and it should not be disseminated, distributed, or copied to persons not authorized to receive such information.

**From:** Rohrbaugh, Mark  
(NIH/OD) [E]

**Sent:** Friday, June 16,  
2017 3:07 PM

**To:** Berkley, Dale  
(NIH/OD) [E]

REL0000024778



<BerkleyD@OD.NIH.GOV>

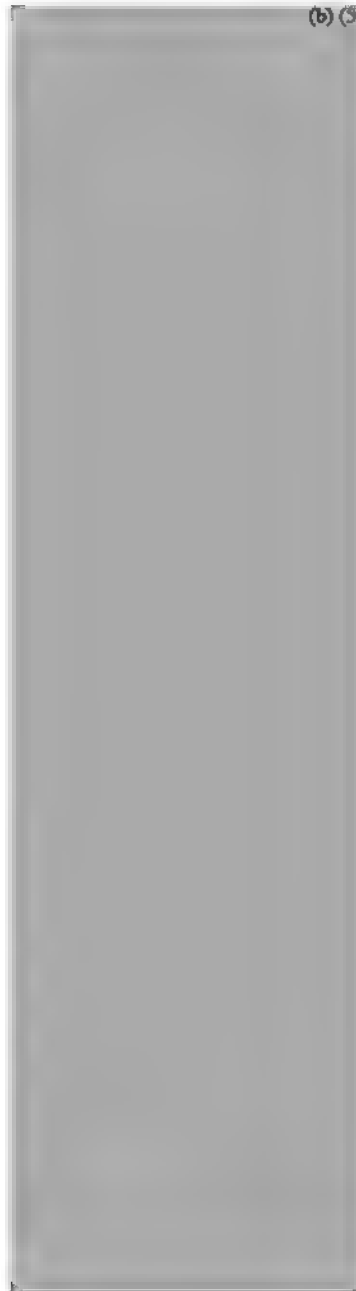
>

**Cc:** Jorgenson, Lyric  
(NIH/OD) [E]

<jorgensonla@od.nih.gov>; Hammersla, Ann  
(NIH/OD) [E]

<hammerslaa@mail.nih.gov>

**Subject:** Re: final memo  
to FC on royalties



Sent from my iPhone

On Jun 16, 2017, at  
11:26 AM, Berkley, Dale

REL0000024778

(NIH/OD) [E]  
<BerkleyD@OD.NIH.GOV>  
V> wrote:

Attache  
d are a  
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your  
conside  
ration.

Best,  
Dale

Dale D  
Berkley,  
Ph.D., J.D.  
Office of  
the General  
Counsel,  
PHD, NIH  
Branch  
Bldg 31,  
Rm 47  
Bethesda,  
MD 20892  
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This  
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intended for  
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above. It  
may contain  
information  
that is  
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From:  
Jorgens  
on,  
Lyric

REL0000024778

(NIH/O

D) [E]

**Sent:**

Friday,

June

16,

2017

10:07

AM

**To:**

Berkley

, Dale

(NIH/O

D) [E]

<Berkle

yD@OD

.NIH.G

OV>

**Cc:**

Rohrba

ugh,

Mark

(NIH/O

D) [E]

<RohrB

auM@

OD.NIH

.GOV>

**Subject**

: FW:

final

memo

to FC

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Hi Dale,

Let me

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Mark

Rohrba

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sent

you a

copy of  
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to KEI  
regarding  
CRISPR  
royalties.  
We  
are  
trying  
to get it  
under  
Francis'  
review  
today  
before  
Carrie  
leaves  
town.  
Did you  
have a  
chance  
to  
review?

Again –  
I  
apologize  
for  
the  
turn  
around.

Best,

Lyric

---

**From:**  
Rohrbach,  
Mark  
(NIH/OD) [E]  
**Sent:**  
Monday,  
May  
15,  
2017  
3:19  
PM  
**To:**

Jorgens  
on,  
Lyric  
(NIH/O  
D) [E]  
<[jorgen  
sonla@  
od.nih.  
gov](mailto:jorgensonla@od.nih.gov)>

**Subject**  
: final  
memo  
to FC  
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Mark L.  
Rohrba  
ugh,  
Ph.D.,  
J.D.  
Special  
Advisor  
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